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Counsel for *Santa Rosa Mall, LLC*

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

In re:

SEARS HOLDINGS CORPORATION, *et al.*,

Debtors.¹

Chapter 11

Case No. 18-23538 (RDD)

(Jointly Administered)

**NOTICE OF WITHDRAWAL OF CLAIM NOS. 16735 AND 17545
(SANTA ROSA MALL, LLC – STORE NO. 1915)**

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are as follows: Sears Holdings Corporation (0798); Kmart Holding Corporation (3116); Kmart Operations LLC (6546); Sears Operations LLC (4331); Sears, Roebuck and Co. (0680); ServiceLive Inc. (6774); SHC Licensed Business LLC (3718); A&E Factory Service, LLC (6695); A&E Home Delivery, LLC (0205); A&E Lawn & Garden, LLC (5028); A&E Signature Service, LLC (0204); FBA Holdings Inc. (6537); Innovel Solutions, Inc. (7180); Kmart Corporation (9500); MaxServ, Inc. (7626); Private Brands, Ltd. (4022); Sears Development Co. (6028); Sears Holdings Management Corporation (2148); Sears Home & Business Franchises, Inc. (6742); Sears Home Improvement Products, Inc. (8591); Sears Insurance Services, L.L.C. (7182); Sears Procurement Services, Inc. (2859); Sears Protection Company (1250); Sears Protection Company (PR) Inc. (4861); Sears Roebuck Acceptance Corp. (0535); SR – Rover de Puerto Rico, LLC (f/k/a Sears, Roebuck de Puerto Rico, Inc.) (3626); SYW Relay LLC (1870); Wally Labs LLC (None); SHC Promotions LLC (9626); Big Beaver of Florida Development, LLC (None); California Builder Appliances, Inc. (6327); Florida Builder Appliances, Inc. (9133); KBL Holding Inc. (1295); KLC, Inc. (0839); Kmart of Michigan, Inc. (1696); Kmart of Washington LLC (8898); Kmart Stores of Illinois LLC (8897); Kmart Stores of Texas LLC (8915); MyGofer LLC (5531); Rover Brands Business Unit, LLC (f/k/a Sears Brands Business Unit Corporation) (4658); Sears Holdings Publishing Company, LLC. (5554); Sears Protection Company (Florida), L.L.C. (4239); SHC Desert Springs, LLC (None); SOE, Inc. (9616); StarWest, LLC (5379); STI Merchandising, Inc. (0188); Troy Coolidge No. 13, LLC (None); BlueLight.com, Inc. (7034); Sears Brands, L.L.C. (4664); Sears Buying Services, Inc. (6533); Kmart.com LLC (9022); Sears Brands Management Corporation (5365); and SRe Holding Corporation (4816). The location of the Debtors' corporate headquarters is 3333 Beverly Road, Hoffman Estates, Illinois 60179.

TO THE HONORABLE COURT:

COMES NOW Santa Rosa Mall, LLC (“Santa Rosa”), by and through its undersigned counsel, pursuant to Fed. R. Bankr. P. 3006, and respectfully states as follows:

1. On October 15, 2018 (“Petition Date”), the Debtors filed voluntary petitions for relief under Chapter 11 of the Bankruptcy Code.

2. On April 10, 2019, Santa Rosa filed Proof of Claim No. 16735, in the amount of \$16,500,000.00, against Sears, Roebuck de Puerto Rico, Case No. 18-23561 (RDD).

3. On April 11, 2019, Santa Rosa filed Proof of Claim No. 17545, in the amount of \$16,500,000.00, against Sears, Roebuck de Puerto Rico, Case No. 18-23561 (RDD), which amends and supersedes Proof of Claim No. 16735.

4. On June 14, 2019, Santa Rosa filed Proof of Claim No. 19755, in the amount of \$44,344,475.58, against Sears, Roebuck de Puerto Rico, Case No. 18-23561 (RDD), which amends and supersedes Proof of Claim No. 17545.

5. On August 2, 2019, Santa Rosa voted to reject Debtors’ now confirmed *Modified Second Amended Joint Chapter 11 Plan* [] (the “Plan”, ECF No. 4476, 5370) on account of the claims outlined in Proof of Claim No. 19755.

6. On September 31, 2021, the Debtors filed a *Thirty-Third Omnibus Objection to Proofs of Claim (To Reclassify or Disallow Claims)* (ECF No. 9787), which requests an order reclassifying the secured portion of Proof of Claim Nos. 16735, 17545, and 19755 as unsecured.

7. Santa Rosa hereby withdraws Proof of Claim Nos. 16735 and 17545 pursuant to Fed. R. Bankr. P. 3006.

8. Santa Rosa has conferred with the Debtors’ counsel, who consented to the withdrawal of the forgoing claims.

9. Thus, Proof of Claim No. 19755 shall be Santa Rosa only surviving claim, and the forgoing withdrawal does not waive, withdraw, or otherwise impact Santa Rosa's rejection of Debtors' *Plan*.

Respectfully submitted.
Dated: September 15, 2020

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/s/Sonia E. Colón Colón

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CERTIFICATE OF SERVICE

I hereby certify that on this same date a true and exact copy of this notice was filed with the Clerk of Court using the CM/ECF system, which will notify a copy to counsel of record.

Date: September 15, 2021

Signature: /s/Gustavo A. Chico-Barris
Gustavo A. Chico-Barris